

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:11-CV-405-D


JOHNNY PEELE, )  
 )  
Plaintiff, )  
 ) O R D E R  
v. )  
 )  
MICHAEL J. ASTRUE, )  
Commissioner of )  
Social Security, )  
 )  
Defendant. )

This matter is before the court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff's counsel has indicated that she consents to the Government's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Upon remand, Plaintiff shall be allowed further administrative proceedings before an administrative law judge. The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 18 day of April, 2012.

  
James C. Dever III  
United States District Judge